REMARKS

This paper is in response to the Final Office Action of February 27, 2006. A reply within 2 months was filed, but failed to place the case in condition for allowance. An Advisory Action was mailed on June 5, 2006. This paper is filed with a two month extension, placing the due date for response as August 5, 2006. An RCE and a Terminal Disclaimer are filed along with this response. Reconsideration of these amendments and remarks is respectfully requested. The Examiner's Interview Summary for the interview of July 20, 2006, was received with thanks.

Claims 1-24 and 26 were rejected under a non-statutory obviousness-type double patenting rejection, over allowed claims in Application No. 09/452,811. A terminal disclaimer is attached, which obviates this rejection.

Claims 19, 20 and 22 were rejected under 35 USC § 102(e) as being anticipated by Landsman et al. (6,314,451). The Examiner also rejected claims 19, 20, and 22 in the alternative under 35 USC § 103(a) as obvious over Landsman et al.

Landsman et al. is concerned with pushing advertisements to the user for *later play* during Internet web page browsing (See Co. 6, line 23 and line 37). Based on a user's profile, specific ads are sent to the user and all are played. Playback of the ads are taught to occur at a later time, such as when the user moves to another web page. See col. 6. This technology, as described by Landsman et al. was designed to facilitate the presentation of advertising during web traversal. Landsman et al. was targeting the delay experienced by users between transitions that occurred when a user moved from one web site to another web site. During this delay, Landsman et al. teaches to display certain advertising content. As described in detail in the prior Office Action response, Landsman et al. teaches that that certain advertising data is downloaded to a user's computer cache during one web site access, and is then played when a user moves to another website.

As noted in the Examiner conference of July 20, 2006, Landsman et al., at **col. 12, lines 34-38**, and other locations throughout the reference, discusses a significant advantage to their system. Specifically, Landsman et al. teaches that the advertisement is "**completely independent**" of the content of a website. Also, Landsman et al. "...**totally separates the media and player files from the referring web page**." As discussed with the Examiner, this technology ***teaches away*** from our claimed functionality.

Accordingly, Landsman et al. could not link the selected primary content to the auxiliary content to be played. Each of the independent claims provides a correlation between the access of primary content to the auxiliary content.

Further, Landsman et al. *does not upload a user identifier* from the client console to a download management server, and thus a user identifier could not be used to enable request of the primary content from the primary content database. The Office cites to col. 5, lines 21-26 (Section 12 , Office Action of Feb. 27, 2006) to teach the uploading of the user identifier and its functional operation. This section, however, describes an upload of a user-ID *when a connection is established.* All subsequent web accesses are then treated the same, based on the user-ID that was uploaded the established connection. In contrast, the claims recite that a user identifier is uploaded and then user information is downloaded to the client computer. The user information is then used to in part determine what auxiliary content to play during download of the primary content.

For at least these reasons, it is submitted that Landsman et al. fails to teach or suggest each element of the independent claims. Accordingly, the Examiner is respectfully requested to withdraw the rejection under Section 102 and 103 rejections.

The Applicants believe the present claim amendments fall within the scope of the claims as originally searched by the Examiner and that no further search should be necessary. Reconsideration and a *Notice of Allowance* is respectfully requested.

If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 749-6903. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No SONYP006). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
MARTINE PENILLA & GENCARELLA, LLP

Albert S. Penilla, Esq.
Reg. No. 39,487

710 Lakeway Drive, Suite 200
Sunnyvale, CA 94085
Telephone: (408) 749-6900
Facsimile: (408) 749-6901